

ZB# 70-28

Dirk & Carmella Polman

(no SBL)

~~Public Hearing~~
~~Set for Jan. 18, 1971~~
~~8 p.m.~~

Public Hearing
March 1 - 8 p.m.

70-2428
Dirke Carmella
Polman

Filed 3/13/71
2:00 PM

Adopted 12/20/65

APPLICATION FOR VARIANCE

Application No. 70-28
Date: 23 December 1970

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

/s/ (We) Carmella & Dirk Polman of Rt. 207 Rock Tavern, New York 12575
(Street & number)

HEREBY MAKE

(State)

APPLICATION FOR A VARIANCE:

- A. LOCATION OF THE PROPERTY Rt. 207 and Schwartz Lane, Office Light Industry
(Street & number) (Use district on Zoning Map)
- B. PROVISION OF THE ZONING ORDINANCE APPLICABLE: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance: New Windsor 48-12 Par. A)

- C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: Neighboring lands are almost entirely residential; across road, back of this land and side of this land.
2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: Since it is practically all residential and new residential developments are being planned for this area.
3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because: No.

4. Relief, if approved will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: Absolutely no detriment could be caused due to indications in

Par. 2 above.

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: No for same reasons as before

The Department of Planning, County of Orange, State of New York in their letter

to Mrs Louise A. Budney, Chairman of New Windsor Zoning Board of Appeals Dated

Dec. 17, 1970 have given their approval for this variance.

- D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

Merely a one family house with 250 foot frontage on Route 207, a 250 foot side and back, a 250 frontage on Schwartz Lane making it a square piece of land of 62,500 square feet as surveyed by Eustace & Horowitz, Engineers, Box 525 Circleville, N Y. 10919. Map dated October 27, 1970. This will be a private home owned by the occupants and not intended for a business.

- E. Application to be accompanied by a check, payable to the Town of New Windsor in the amount decided by the Board. Application to be returned to: Secretary of the Zoning Bd. of Appeals.

- F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered mail to all abutting land owners as required by Section 9.4.1 of the Ordinance.

- G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239m of the General Municipal Law to see if it applies. If so, notify the Orange County Planning Bd.

Dated: 23 Dec. 1970.

STATE OF NEW YORK)
COUNTY OF ORANGE)

SS

Sworn to on this 3rd day of December, 19 70

Signature of Applicant

Carmella Polman

Address

Telephone No.

PATRICIA DELIO Patricia Delio
(Notary Public)

Notary Public, State of New York
Appointed in Orange County
My Commission expires Mar. 30, 1972

DO NOT WRITE IN THIS SPACE

Application No. 70-28
Date of Hearing 3/1/71
Date of Decision 3/1/71

Date Received Dec 23 1970
Notice Published 2/5/71

DECISION:

Variance granted.

MAYO AND MAYO
ATTORNEYS AT LAW
154 MAIN STREET
GOSHEN, NEW YORK 10924

WILLIAM A. MAYO
JOHN T. MAYO
JOHN J. McMANUS, JR.

March 8th, 1971

294-5191
AREA CODE 914

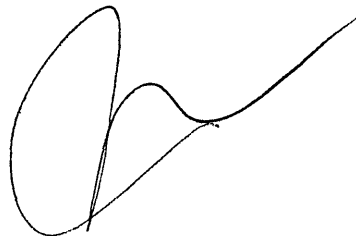
Mrs. Patricia Delio, Secretary
New Windsor Zoning Board of Appeals
7 Franklin Avenue, M. D. 42
New Windsor, New York 12550

RE: Public Hearing

Dear Mrs. Delio:

Pursuant to a telephone conversation with Mrs.
Polman, here is the list of individuals who received
letters of notification from this office.

Very truly yours,

A handwritten signature in black ink, appearing to be 'John T. Mayo', with a large loop at the start and a long, sweeping tail.

John T. Mayo

JTM/po
Encl.



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

Mr. Dirk Polman
Rock Tavern, New York 12575

Mary A. Lange
Rock Tavern, New York

William & Hjordis Sandberg
Schwartz Lane
Rock Tavern, New York

Phoebe M. Tompkins
47 Mohegan Lane
Port Chester, New York

Raymond Hiemstra
Route #207
Rock Tavern, New York

William J. & Charlotte L. Rave
Rock Tavern, New York

Henry & Martha Schwab
Rock Tavern, New York

Carl & Rose Goeddel
748 Clarence Avenue
Bronx, New York

Anthony & Anna Congelosi
Rock Tavern, New York

Caroline B. & Robert J. Lind
Rock Tavern, New York

Michael & Irene Mae DeStefano
Rock Tavern, New York

Margaret B. & Gerald J. Rave
Rock Tavern, New York.

Margaret M. Hick
814 Pasadena Drive
Erie, Pa. 16505

Respectfully submitted,

Ellsworth E. Weyant
ELLSWORTH E. WEYANT

Chairman

Board of Assessors
Town of New Windsor

EEW:pt

Forge Hill Road
New Windsor, N. Y.
March 2, 1971

Mr. and Mrs. Dirk Polman
Rt. 207 - Schwartz Lane
Rock Tavern, N Y.

Re: Application for Variance

Dear Mr. and Mrs. Polman:

Please be informed that your above application
for a variance has been approved by the Board at their
March 1st meeting.

Yours very truly,

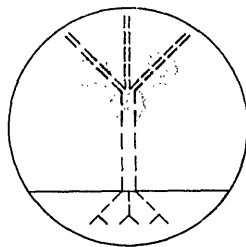
FRED WYGANT, Chairman

/pd

cc: Howard Collett, Bldg. Inspector
Theodore F. Marsden, Supervisor

Department of Planning

Peter Garrison, A.I.P., Commissioner
Edwin J. Garling, A.I.P., Deputy Commissioner



The County Building
Goshen, New York 10924
(914) 294-5151

County of Orange

Louis V. Mills, County Executive

December 17, 1970

Mrs. Louise A. Budney, Chairman
Town of New Windsor Zoning Board of Appeals
16 Veronica Avenue
Newburgh, New York 12550

Re: Area variance application of
Mr. & Mrs. Dirk Polman, Rt. 207
and Schwartz Lane

Dear Mrs. Budney:

This office is in receipt of a copy of the above-cited application pending before your Board, forwarded to us for our review.

This matter has been reviewed by our staff, resulting in the following comments:

1. The applicant is seeking to subdivide for residential purposes a lot 250' square, (or 62,500 square feet) in an OLI District, the minimum lot requirement of which is 80,000 square feet. The use is a permitted one, but the proposed lot is undersized by 17,500 square feet.
2. The established character of the district is residential, with little, if any, office, research, and light industrial use.
3. The Ontario and Western Railroad, which might have been an asset to an OLI District, has now been abandoned.

4. To overzone for industrial and office uses is to relinquish one of the benefits of zoning; namely, the guidance of growth according to logically established priorities. It would seem to us more strategic to concentrate efforts on attracting OLI uses to eastern sections of the Town (where they can be serviced by public sewer and water) than to scatter such uses throughout the Town.
5. Therefore, we recommend to the Town Planning Board, and subsequently to the Town Board itself, that the area be rezoned as a residential district, permitting slightly smaller lot sizes.
6. Pending action on this suggestion, we recommend to the Zoning Board of Appeals that interim relief be granted the applicant by immediate approval of his application for an area variance.

Acting under Section 239, L and M, Article 12-B, of the General Municipal Law of the State of New York, County approval is hereby granted.

Very truly yours,



Peter Garrison
Commissioner of Planning

PG:mj

cc: Mr. Theodore Marsden, Supervisor
Mr. Joseph Tallarico, Chairman, Town of N. W. Pl. Bd.
Mr. & Mrs. Dirk Polman

PUBLIC NOTICE
OF HEARING BEFORE
THE ZONING BOARD OF APPEALS
PLEASE TAKE NOTICE that the
Zoning Board of Appeals of the
Town of New Windsor, New York
will hold a public hearing pursuant
to Section 48-33A of the Zoning
Ordinance on the following proposi-
tion:
Appeal No. 70-30.
Request of Carmella and Dirk
Polman for a Variance of the
regulations of the Zoning Ordinance,
to permit subdivision of an un-
der-sized lot for residential purposes,
being a Variance of Article IV,
Section 48-14c, for property owned
by him situated as follows: located
on Rt. 207 and Schwartz Lane,
Town of New Windsor, N.Y., bound-
ed on the north by Rt. 207; on
the south by lands now or formerly
of Lang; on the east by lands
now or formerly of Congelosi and
on the west by lands now or for-
merly of Rave.
SAID HEARING will take place
on the 14th day of January, 1971, 555
Union Avenue, New Windsor, N.Y.,
at the New Windsor Town Hall,
beginning at 8 o'clock P.M.
FRED WYGANT
Chairman
Jan. 8

State of New York
County of Orange, ss:

Hugh V. Nocton , being duly sworn deposes and
says that he is Principal Clerk of Newburgh-
Beacon News Co., Inc., Publisher of The Evening News,
a daily newspaper published and of general circulation in
the Counties of Orange and Dutchess, and that the notice
of which the annexed is a true copy was published

..... One Time
in said newspaper, commencing on the 8th day of
January A.D., 19 71 , and ending on
the 8th day of January A.D., 19 71

Subscribed and sworn to before me this
..... 11th day of January 19 71

Hugh V. Nocton

Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 19



STATE OF NEW YORK)
(SS.:
COUNTY OF ORANGE)

PATRICIA OUGOURLIAN being duly sworn, deposes and says, that deponent is not a party to the action. is over 18 years of age and resides at 7 Yankee Maid Lane, Goshen, New York.

That on the 5th day of February, 1971, deponent served the within Notice upon Dirk Polman, residing in Rock Tavern, New York; Mary A. Lange, residing in Rock Tavern, New York; William & Hjordis Sandberg, residing at Schwartz Lane, Rock Tavern, New York; Phoebe M. Tompkins, residing at 47 Hohegan Lane, Fort Chester, New York; Raymond Hiemstra, residing at Rt. # 207, Rock Tavern, New York; William J. & Charlotte L. Rave, residing in Rock Tavern, New York; Henry & Martha Schwab, residing at Rock Tavern, New York; Carl & Rose Goeddel, residing at 748 Clarence Avenue, Bronx, New York; Anthony & Anna Congelosi, residing in Rock Tavern, New York; Caroline B. & Robert J. Lind, residing at Rock Tavern, New York; Michael & Irene Mae DeStefano, residing in Rock Tavern, New York; Margaret B. & Gerald J. Rave, residing in Rock Tavern, New York; Margaret M. Hick, residing at 814 Pasadena Drive, Erie, Pa., 16505; by depositing same enclosed in a postpaid properly addressed wrapper in a post office under the exclusive care and custody of the United States post office department within the State of New York.

Patricia Ougourlian

Sworn to before me, this

5th day of February, 1971

STATE OF NEW YORK)
(SS.:
COUNTY OF ORANGE)

PATRICIA OUGOURLIAN being duly sworn, deposes and says, that deponent is not a party to the action. is over 18 years of age and resides at 7 Yankee Maid Lane, Goshen, New York.

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Patricia Ougourlian

Sworn to before me, this

8th day of February, 1971

[Signature]
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ORANGE COUNTY
COMMISSION EXPIRES MARCH 30, 1977

APPLICATION is hereby made for the following:

Agenda: _____ Service: _____

✓ 1. Name Carmella & Dirk Polman

Address Rt. 207 Rock Tavern New York 12575

Telephone Number 496-6255

Are you the owner of the property? Yes

✓ 2. Briefly describe (or attach) intention and location of
property: Rt. 207 corner of Schwartz Lane, Rock Tavern, New York

3. PLANNING BOARD

_____ Site Plan Preliminary Meeting

_____ Subdivision Preliminary Meeting

_____ Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

_____ Interpretation of Ordinance or Map

_____ Variance (Notify P/B - Plans if necessary)

_____ Informational Meeting

AGENDA DATE _____

5. BUILDING PERMIT

_____ Planning Board action needed

_____ Z.B.A. action needed

_____ Site Plan needed

_____ Subdivision approval needed

_____ Water, Sewer and Highway action needed

ACTION TAKEN:

✓ I do hereby affirm that all fees, permits and charges
applicable under the laws and ordinances of the State of
New York and the Town of New Windsor will be paid and that
any expenses for advertising of Public Hearing or meetings

✓ 1. Name Carmella & Dirk Polman
Address Rt. 207 Rook Tavern New York 12575
Telephone Number 496-6255
Are you the owner of the property? Yes

✓ 2. Briefly describe (or attach) intention and location of
property: Rt. 207 corner of Schwartz Lane, Rook Tavern, New York

3. PLANNING BOARD

_____ Site Plan Preliminary Meeting
_____ Subdivision Preliminary Meeting
_____ Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

_____ Interpretation of Ordinance or Map
_____ Variance (Notify P/B - Plans if necessary)
_____ Informational Meeting

AGENDA DATE _____

5. BUILDING PERMIT

*P.A.
Jan. 1971
E.P.M.*

_____ Planning Board action needed
_____ Z.B.A. action needed
_____ Site Plan added
_____ Subdivision approval needed
_____ Water, Sewer and Highway action needed

ACTION TAKEN:

✓ I do hereby affirm that all fees, permits and charges
applicable under the laws and ordinances of the State of
New York and the Town of New Windsor will be paid and that
any expenses for advertising of Public Hearing or meetings
will be paid. Also any legal or engineering fees for re-
view of this project.

Signed:

Dirk Polman
(APPLICANT)

Carmella Polman

40 Howard Collett - Bldg Inspector
Town Hall

555 Union Ave.

New Windsor 12550